THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 6016 of 2007

Dated 26th March 2007

Between:

K.Damodar Reddy S/o.Chinnabba

... Petitioner

and

The Government of A.P.,
Rep.by the District Forest Officer (Wildlife)
K.T.Road, Tirupathi, Chittoor District & others

... Respondents

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O R D E R:

The petitioner is the owner of a vehicle bearing No.AP-03T-V4156. He stated that it was given on hire for a pilgrimage to Sabarimala. According to him, even after the schedule time, the driver did not turn up, and that he came to know about the arrest of the driver, in connection with a forest offence. On knowing that a case was registered before the Divisional Forest Officer, Tirupathi, under Section 29(1)(A) of the A.P. Forest Act (for short "the Act"). He submitted an application on 7.3.2007, for release of the vehicle. His grievance is that the application has not been disposed of, as yet.

Heard the learned counsel for the petitioner and learned Government Pleader for Forest.

The Authorised Officer, under Section 44 of the Act, is conferred with the powers to pass final, as well as interim orders.

If he is satisfied that the vehicle can be released, pending the proceedings initiated for confiscation of the seized forest produce and vehicle, he can pass appropriate orders. The vehicle is said to have been seized on 29.12.2006. The delay in disposal of the application would have its own effect, on the safety of the vehicle, as well as the rights of the petitioner.

For the foregoing reasons, the writ petition is disposed of, directing the 2nd respondent to pass appropriate orders, on the application filed by the petitioner, within a period of two weeks, from the date of receipt of a copy of this order. There shall be no order as to costs.

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26th March 2007

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